



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Walter W. Collins

U.S. Patent No. : 5,815,927
Issued : October 6, 1998
For : FOLDING KNIFE WITH ACTUABLE SAFETY
LOCKING MECHANISM

Commissioner for Patents
Washington, D.C. 20231

Sir:

**SUBSTITUTE DECLARATION OF WALTER W. COLLINS
AND PETITION FOR REISSUE**

I, WALTER W. COLLINS, a citizen of the United States and a resident of North, South Carolina, County of Orangeburg, whose post office address is 4651 Savannah Highway, North, South Carolina 29112, state that I am the patentee of U.S. Patent No. 5,815,927 entitled FOLDING KNIFE WITH ACTUABLE SAFETY LOCKING MECHANISM. I hereby offer to surrender U.S. Patent No. 5,815,927 and request that a patent be reissued for the same invention upon the amended specification submitted on October 6, 2000.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended. I believe that I am the sole, original, and first inventor of the subject matter which is claimed and for which a patent is sought.

I believe the original patent, U.S. Patent No. 5,815,927, to be partly inoperative or invalid by reason of the patentee claiming more or less than the patentee had the right to claim in the patent. Specifically, U.S. Patent No. 5,815,927 claims less than I was entitled to in that certain of the

independent claims contain limitations which I believe are not necessary to distinguish over the prior art.

At least one error being relied upon to support this reissue application is the failure to appreciate the full scope of the invention. I believe I had the right to include broader claims. For example, the "pivotal connector" recited in independent claim 1 is not necessary to distinguish the invention from the prior art. This statement of error is not intended to identify all errors, but is intended to state at least one error being relied upon as the basis for reissue.

I further believe that the new claims (claims 12-27) in the application filed herewith for reissue of U.S. Patent No. 5,815,927 overcome the partial inoperativeness of the patent in that each now recites patentable subject matter without unnecessarily limiting the scope of the invention.

I believe that all errors being corrected up to the time of filing this declaration arose without any deceptive intention.

I acknowledge that I have a duty to disclose information of which I am aware which is material to the examination of this application for reissue of U.S. Patent No. 5,815,927 in accordance with Title 37, Code of Federal Regulations § 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statement made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 2-5-2003


Walter W. Collins